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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/088,674      | 06/02/1998  | DANIEL J. MORGAN     | TI-25995            | 2025             |

23494 7590 08/13/2002

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EXAMINER

NGUYEN, KEVIN M

ART UNIT PAPER NUMBER

2674

DATE MAILED: 08/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/088,674

Applicant(s)

MORGAN ET AL.

Examiner

Kevin M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 June 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. In view of the appeal brief filed on 6/3/2002, PROSECUTION IS HEREBY REOPENED. New grounds of rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Barbier et al (US 5,053,764).

As to claim 1, Barbier et al teaches a method of displaying digital image which includes a luminance state presenting a first interval  $1/FO$  around a mean value  $b+$  (first offset value) and a second interval  $1/FO$  around a mean value  $b-$  (second offset value,

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col. 5, lines 9-12), the two different binary states of luminance a and b, a is the luminance level of a lit pixel (a first offset pixel value display frame), and b is the luminance level of an off pixel (the opposite/second offset pixel value display frame), the making of the semi-luminance  $(a+b)/2$  (average of a displayed first offset pixel value and a second offset pixel value, figure 3 and 4, col. 5, lines 36-40).

As to claim 2, Barbier et al teaches a luminance state presenting a first interval  $1/FO$  around a mean value  $b+$  (first predetermined amount, col. 5, lines 10-11).

As to claim 3, Barbier et al teaches a luminance state presenting a first interval  $1/FO$  around a mean value  $b+$  (first offset value  $b+$  is greater than a first pixel value  $b$ , col. 5, lines 9-12).

As to claim 4, Barbier et al teaches the pixels value a and b extracting from a plurality of weight-bit plane A1, A2 and B1, B2 (col. 3, lines 52-59).

As to claim 5, Barbier et al teaches two pairs of planes A1, B1 and A2, B2 using alternately for reading and writing (a first display frame and a second display frame are consecutive, col. 4, line 65 to col. 5, line 1).

As to claim 6, Barbier et al teaches a system of displaying digital image which includes a graphic processor 2 (logic circuit) controlling/offsetting by a processor 1 (figure 1, col. 3, lines 1-3), a luminance state presenting a first interval  $1/FO$  around a mean value  $b+$  (first offset value) and a second interval  $1/FO$  around a mean value  $b-$  (second offset value, col. 5, lines 9-12), a display screen 11 (col. 3, lines 4-6) displays the two different binary states of luminance a and b, a is the luminance level of a lit pixel (a first offset pixel value display frame), and b is the luminance level of an off pixel (the

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opposite/second offset pixel value display frame), the making of the semi-luminance  $(a+b)/2$  (average of a displayed first offset pixel value and a second offset pixel value, figure 3 and 4, col. 5, lines 36-40).

As to claim 7, Barbier et al teaches a graphic processor 2 controlling a luminance state presenting a first interval  $1/FO$  around a mean value  $b+$  (first predetermined amount, col. 5, lines 10-11).

As to claim 8, Barbier et al teaches a graphic processor 2 controlling a luminance state presenting a first interval  $1/FO$  around a mean value  $b+$  (first offset value  $b+$  is greater than a first pixel value  $b$ , col. 5, lines 9-12).

As to claim 9, Barbier et al teaches a graphic processor 2 controlling the pixels value  $a$  and  $b$  extracting from a plurality of weight-bit plane  $A1$ ,  $A2$  and  $B1, B2$  (col. 3, lines 52-59).

As to claim 10, Barbier et al teaches a graphic processor 3 controlling two pairs of planes  $A1$ ,  $B1$  and  $A2$ ,  $B2$  using alternately for reading and writing (a first display frame and a second display frame are consecutive, col. 4, line 65 to col. 5, line 1).

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kevin M. Nguyen** whose telephone number is **703-305-6209**. The examiner can normally be reached on MON-FRI from 9:00-5:00 with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached on **703-305-4709**.

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**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231


**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kevin M. Nguyen  
Examiner  
Art Unit 2674



RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600